



U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

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| <b>NOTICE OF APPEAL</b>  |   | Docket Number<br><b>11957/20</b>    | Conf. No.<br><b>3317</b> |
| Application Number<br><b>10/077,283</b>  | Filing Date<br><b>February 14, 2002</b> | Examiner<br><b>Irene Marx</b>       | Art Unit<br><b>1651</b>  |
| Invention Title<br><b>COMPOSITION OF BIOCHEMICAL<br/>COMPOUNDS INVOLVED IN BIOENERGY<br/>METABOLISM OF CELLS AND METHOD<br/>OF USE</b> |   | Inventor(s)<br><b>Matthias RATH</b> |                          |

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on  
Date: August 26, 2005

Signature: John Resek

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner made in the Final Office Action dated July 5, 2005 finally rejecting claims 1 and 23-25.

The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.191 Notice of Appeal small entity fee of \$250.00 to deposit account number 11-0600.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to number 11-0600:

- A. Any additional filing fees required under 37 C.F.R. § 1.16;
- B. Any additional patent application processing fees under 37 C.F.R. § 1.17;
- C. Any additional patent issue fees under 37 C.F.R. § 1.18;
- D. Any additional document supply fees under 37 C.F.R. § 1.19;
- E. Any additional post-patent processing fees under 37 C.F.R. § 1.20; or
- F. Any additional miscellaneous fees under 37 C.F.R. § 1.21.

A duplicate copy of this letter is enclosed.

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Date: August 26, 2005

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Respectfully Submitted,

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